

In re Appln. of Joseph F. Wenzl et al.
Application No. 09/924,668

REMARKS

Applicants submit this response to the Office Action of May 5, 2004. Pursuant to 37 C.F.R. §1.116, applicants respectfully request consideration of, and entry of, this Amendment after Final Rejection.

The Office Action indicates that claims 9-11 and 16-19 are allowable. Applicants have made a minor amendment to claim 16 to correct a typographical error. Applicants further propose new claims 20-22, which depend from allowable claim 16. Accordingly, these claims should also be allowable.

Applicants have considered the Office Action's determination that claims 1-4, 6 and 7 are anticipated under 35 U.S.C. § 102(e) as being anticipated by Zander. Applicants have proposed an amendment to claim 1, namely, that the gate arm is of sufficient length to impede the passage of a conventional automotive vehicle; it is not intended for use as a model railroad crossing gate. Applicants submit that claims 1-4, 6 and 7 are not anticipated by Zander.

Conclusion

The application is believed to be in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue.

Respectfully submitted,



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